IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

WEDNESDAY, THE 30TH MAY 2007 / 9TH JYAISHTA 1929

WA.No. 1244 of 2007()

AGAINST THE ORDER IN WPC.7983/2007 Dated 25/05/2007
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APPELLANT/3rd RESPONDENT:

K.A. SOSAMMA, PUKKUNNEL HOUSE,
POTHANICADU P.O., WORKING AS H.S.A.,
FR. JOSEPH MEMORIAL HIGHER SECONDARY SCHOOL,
PUTHUPPADY, MUVATTUPUZHA.

BY ADV. SRI.B.KRISHNA MANI

RESPONDENTS/PETITIONER & RESPONDENT NOS. 1 AND 2::
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1. SHRI P.T. PAULOSE, AGED 55, S/O. THOMAS,
PUKKUNNEL HOUSE, KADUMPIDY. P.O.,
ERAMALLOOR, MUVATTUPUZHA,
NOW WORKING AS THE HEADMASTER,
FR. JOSEPH MEMORIAL HIGHER SECONDARY SCHOOL,
PUTHUPPADY, MUVATTUPUZHA. 686 673.

2. THE DISTRICT EDUCATION OFFICER, KOTHAMANGALAM.

3. THE MANAGER,
FR. JOSEPH MEMORIAL HIGHER SECONDARY SCHOOL,
PUTHUPPADY, MUVATTUPUZHA - 686 673.

BY ADV. SHRI PRADEEP JOY.

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 30/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L. DATTU, C.J. & K.T. SANKARAN, J.

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W.A. No. 1244 OF 2007

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Dated this the 30th May, 2007

J U D G M E N T

H.L. Dattu, C.J.:

This appeal arises out of the interim order passed by this Court in Writ Petition No.7983 of 2007 dated 25th May, 2007. The interim order passed by this court is as under:

> "In the above facts and circumstances, the interim prayer is allowed. Respondent No.3 is directed to return the keys and other documents of the school which came into her possession while she was acting as Headmistress-in-charge, to the petitioner forthwith, at any rate, on or before May 28, 2007. If respondent No.3 fails to comply with the above order, she shall be personally present before this court on May 30, 2007 at 10.15 a.m.".

2. Aggrieved by the aforesaid order, the third respondent has filed the present appeal.

3. After going through the orders passed by the learned single Judge, we are of the opinion that the learned single Judge has not committed any error whatsoever, which would call for our interference and accordingly, the Writ Appeal requires to be rejected. Accordingly, it is rejected. However, it is made clear that the appellant/respondent No.3 in the Writ Petition shall hand over the

keys and other documents of the school, which came into her possession while acting as Headmistress-in-charge, to Shri P.T. Paulose, petitioner in the Writ Petition on 31st May, 2007 at 10.30 a.m. in the presence of the District Education Officer, Kothamangalam. Further, we issue a direction to the District Education Officer, Kothamangalam to draw up a mahazar, in so far as the documents and other records pertaining to the school, when it is handed over to the petitioner in the Writ Petition by the 3rd respondent Ordered accordingly.

With these observations and directions, the appeal is disposed of. Order passed by us is only for the purpose of disposal of this Writ Appeal.

H.L. DATTU,
CHIEF JUSTICE.

K.T. SANKARAN,
JUDGE.

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